

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

OTIS CHAMBERS

Plaintiff,

VS.

RYERSON & TULL STEEL CO.

Defendant.

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NO. 3-05-CV-1533-D

MEMORANDUM ORDER

Plaintiff Otis Chambers, appearing *pro se* and proceeding *in forma pauperis*, has filed a motion for appointment of counsel in this race discrimination case brought under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

Title VII authorizes the appointment of counsel upon request "in such circumstances as the court may deem just." *Id.* § 2000e-5(f)(1). Among the factors the court must consider are: (1) the merits of the claim; (2) efforts taken to obtain a lawyer; and (3) the financial ability of plaintiff to retain counsel. *See Gonzales v. Carlin*, 907 F.2d 573, 580 (5th Cir. 1990). Here, the EEOC has found reasonable cause to believe that defendant violated the statute. (*See* Plf. Compl., Exh. A). That determination is "highly probative" in deciding whether to appoint counsel in a subsequent judicial proceeding. *See Gonzales*, 907 F.2d at 580; *Caston v. Sears, Roebuck & Co.*, 556 F.2d 1305, 1309 (5th Cir. 1977). In his motion, plaintiff alleges that he has been unable to retain counsel from legal aid or legal services organizations or individual attorneys without payment of a fee or on a contingent fee basis. The court previously determined that plaintiff lacks the financial resources to prosecute this suit.

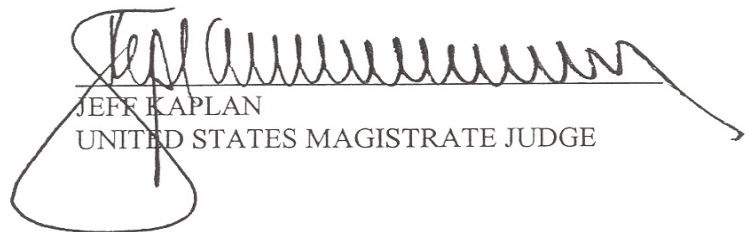
After considering the relevant factors, the court exercises its discretion to appoint counsel for plaintiff in this cause. The following attorney is hereby appointed to represent plaintiff:

Hal K. Gillespie, Esq.
Gillespie Rozen Watsky & Motley, P.C.
3402 Oak Grove Avenue
Suite 200
Dallas, Texas 75204
Phone: (214) 720-2009
Fax: (214) 720-2291

Counsel shall file a notice of entry of appearance within 10 days from the date of this order. Any further pleadings, motions, or communications with the court on behalf of plaintiff must be made by his counsel of record.

SO ORDERED.

DATED: September 1, 2005.



JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE

cc: Otis Chambers

3609 Haystack Drive

Grand Prairie, Texas 75052